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**PATENT**

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): )  
McMichael et al. )  
Serial No: 09/495,186 ) Title: Treatment of Symptoms of  
Filed: February 1, 2000 ) Asthma, Allergies and Otitis Media

### TRANSMITTAL OF EXECUTED DECLARATION

**Assistant Commissioner for Patents**  
**Washington, D.C. 20231**

**Attention: BOX MISSING PART**

Sir:

Submitted herewith is an executed Declaration for filing in the above-identified application, in response to the Notice to File Missing Parts issued by the Patent and Trademark Office or, March 30, 2000.

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#### **CERTIFICATE OF MAILING (37 CFR 1.8)**

I hereby certify that this paper and the documents referred to as enclosed therewith are being deposited with the United States Postal Service as first class mail, postage prepaid, on April 27, 2000 in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231.

*Jeffrey S. Sharp*  
Jeffrey S. Sharp

Also enclosed is a copy of the Notice together with our check in the amount of \$65.00 in payment of the fee. A Small Entity Statement was filed on February 25, 2000.

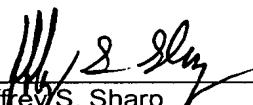
The Commissioner is hereby authorized to charge any deficiency in the amount enclosed or any additional fees which may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 13-2855. A copy of this request is enclosed.

Please refund any overpayment to Marshall, O'Toole, Gerstein, Murray & Borun at the address below.

Respectfully submitted,

MARSHALL, O'TOOLE, GERSTEIN,  
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By:

  
Jeffrey S. Sharp  
Reg. No: 31,879

April 27, 2000

## FORMALITIES LETTER



\*OC00000005018119\*

UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark OfficeAddress: COMMISSIONER OF PATENT AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
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09/495,186

02/01/2000

John McMichael

13024/35946

Marshal Otoole Gerstein Murray & Borun  
6300 Sears Tower  
233 South Wacker Drive  
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Date Mailed: 03/30/2000

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). Docketed: 5/30/00

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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